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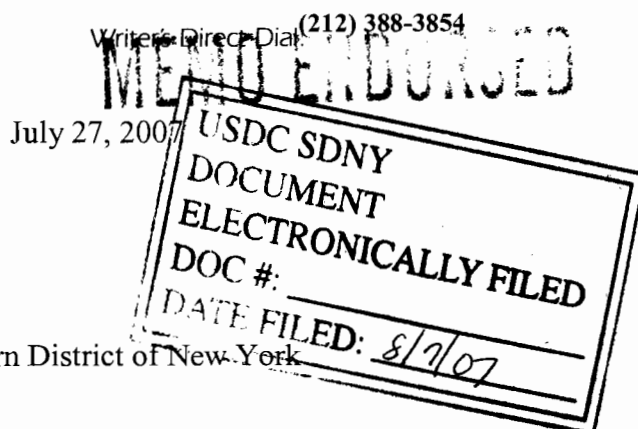
VALARIE LONG
Vice President

Online at:
www.seiu32bj.org

Local 32BJ Headquarters:
101 Avenue of the Americas
New York, NY 10013-1991
212.388.3800

Office of the General Counsel

SEIU Local 32BJ
101 Avenue of the Americas
19th Floor
New York, NY 10013-1906
Fax: 212.388.2062



Via Hand Delivery

Honorable Kenneth M. Karas
United States District Judge
United States District Court, Southern District of New York
500 Pearl Street, Room 920
New York, New York 10007

**Re: Unithree Investment Corp. v. SEIU Local 32BJ
07 CIV 4788 (KMK) (DFE)**

Dear Honorable Judge Karas:

We represent defendant Service Employees International Union, Local 32BJ in the referenced action. We write to request clarification of Your Honor's Order dated July 24, 2007 (copy enclosed).

That Order, in part, extends the time within which defendant may answer the plaintiff's complaint until September 21, 2007, the date of the pre-motion conference. However, defendant answered the complaint on June 7, 2007. The extension requested by defendant by letter of June 20, 2007 was an extension of time within which to file a responsive brief to plaintiff's petition filed in state court to stay an arbitration which, under *D.H. Blair & Co., Inc. v. Gottdiener*, 426 F.3d 95 (2^d Cir. 2006), is, upon removal, treated as a motion for summary judgment. See pages 2-3 of defendant's correspondence of June 20, 2007 (attached to Your Honor's Order).

Accordingly, defendant seeks to clarify whether Your Honor's Order requires defendant's responsive brief to be submitted by September 21, 2007. If it requires only a submission of an answer by that date, the answer has already been filed.

Respectfully submitted,

Judith I. Padow (JIP 1151)
Assistant General Counsel

Service Employees International Union,
Local 32BJ

JIP:rg

Encl.

cc: Randy Gidseg

No responsive brief is to be submitted before the 9/21/07 conference.

SO ORDERED

KENNETH M. KARAS U.S.D.J.

8/6/07